

PLANNING COMMISSION OF THE CITY OF ST. LOUIS
Regular Meeting – Minutes
Monday, March 4, 2020 at 5:30 P.M.
1520 Market St. – Suite 2000 – Conference Room “B”

Commissioners Present: Earl Strauther, Alderman Jeffrey Boyd, Tracy Boaz, Jake Banton, Rich Bradley, Steve Conway, Mary Goodman, Denise Peeples, Randy Vines

Commissioners Absent: Alderman Shane Cohn, Nicole Young
(Two Commission vacancies)

Staff Present: Don Roe, Cecilia Dvorak, Roman Kordal, Don Taylor, Michelle Carter; Dan Krasnoff, Bethany Moore (Cultural Resources)

Counsel Present: David Meyer, City Counselor's Office

Guests: David Sweeney, David Edmunds, Chris Pagano, James Elsmann

At 5:35, Chair Strauther addressed the Commissioners, and informed the Commission that a quorum was present.

Chair Strauther called the meeting to order and asked for a motion on the minutes from the February 3, 2020 regular session. Commissioner Banton moved to approve; Commissioner Vines seconded. The motion passed by roll call vote with the following commissioners voting aye: Tracy Boaz, Jake Banton, Rich Bradley, Steve Conway, Mary Goodman, Denise Peeples, Randy Vines, Chair Strauther.

The Commission took up item 3, *PDA-001-02-NBD – Amendment #3 of the Plan for the Neighborhoods of the 5th Ward – Approval to conduct a presentation and public hearing (at a future meeting) – City Blocks 969 & 968 (Doorways) – JeffVanderLou (CB 969 & 968)*. Cecilia Dvorak presented the resolution. Commissioner Vines moved to approve the resolution and Commissioner Banton seconded. The motion passed with all Commissioners present voting aye: Jake Banton, Rich Bradley, Tracy Boaz, Steve Conway, Mary Goodman, Denise Peeples, Randy Vines, Chair Strauther. Don Roe briefly provided background on the broader planning process underway in the area. Alderman Boyd arrived following this item.

The Commission next considered item 4, *PDA-072-19-PRS – 5633 Botanical Ave. Demolition Review – The Hill (CB 4048)*. Commissioner Conway moved to take the item from the table and Commissioner Banton seconded. The motion passed by roll call vote with the following Commissioners voting aye: Alderman Boyd, Jake Banton, Rich Bradley, Tracy Boaz, Steve Conway, Mary Goodman, Denise Peeples, Chair Strauther. Commissioner Vines abstained.

Don Roe provided an overview of the process. He showed the building and geography of the site to the Commission.

Dan Krasnoff, Cultural Resources Director, presented the position of the Cultural Resources Office. He summarized the criteria for review and how they were considered as part of the Preservation Board's decision. He answered questions from the Commissioners. Commissioner Bradley asked what expertise the staff had to determine what kind of condition the building was in, and whether or not there was someone on staff that was a licensed architect or engineer. Mr. Krasnoff stated that while he did not have a licensed architect or engineer on staff, he and his staff had significant experience reviewing these buildings and knowing the signs of significant disrepair that was irreparable. Commissioner Conway asked why the architectural style was unique. Mr. Krasnoff explained that the style refers to the details of the building and what made this building unusual is the side porch configuration. Commissioner Conway noted that it did not appear that the uniqueness was a finding with background. He asked whether the economic value of the property was considered correctly. Mr. Krasnoff explained that his staff considered if the economic cost of rehabilitation could be less than it could be sold for. The support of the neighborhood was discussed. Alderman Boyd asked about the amount of new construction on the street and the nature of what types of buildings existed and had historically been preserved in the neighborhood. Commissioner Banton asked about preservation review districts and their creation. The age of the building was revisited. Mr. Krasnoff was uncertain whether older buildings in the area exist. seconded. Commissioner Vines summarized his thoughts regarding how he voted in his capacity on the Preservation Board. There was no building permit or discussion of imminent development before the Board. The Board limits its role to interpret the ordinance as presented and not to speculate on economic impact. The fact that so many buildings have been demolished in the vicinity leaves the remaining buildings even more significant. However, the case presented for what would replace the building in question was not made. Commissioner Boaz asked for further background regarding the proposed replacement structure. Chair Strauther asked about the background of The Hill neighborhood. He clarified that the neighborhood association supported the demolition.

Don Roe explained that the Preservation Board and its staff's role is to have to balance all factors. He reminded the board can affirm, reverse or modify the Preservation Board's decision. He noted that modification has occasionally been chosen. He introduced David Edmunds on behalf of Pagano Land Development, LLC.

Mr. Edmunds reviewed the binder containing the background materials. He noted that the only reason the request was initially denied was because it was a sound building. The reason for denial was generally indicated for the same reason throughout. He also noted that the reason for the property's denial was not consistent with the actual nature of the structures on the block. He drew attention to the photos and other documents in the binder indicating the conditions of the surrounding properties. He noted economic issues were clearly posed based on the extant condition of the property showing by the photos. He noted the discrepancy between the denial for the sound house, denial because the streetscape was a particular condition, and the actual condition and circumstances of the street. Commissioner Conway expressed that the record did not reflect any specificity regarding the uniqueness of the structure. The 'unique' reference was first made in August, following a number of communications at that point. Alderman Boyd asked whether the cost of the new property was in the record. He expressed his concern on how \$230,000 to acquire property to be demolished must indicate that economic hardship was unlikely. Going into the transaction, Alderman Boyd asked if the owner had a sense of whether

the property demolition would be challenged. Mr. Edmunds indicated that was unlikely the case. Commissioner Banton reviewed the correspondence in the record regarding the reasons for denial. Mr. Edmunds explained that the reason no evidence was presented regarding the cost was because the applicant was not planning on renovation and did not understand the nature of the economic argument until the time the review was presented in late August 2019, at which point it was too late to present any new information.

Mr. Krasnoff denied his opportunity for a rebuttal. He clarified that the applicant, as a new construction developer who had been through the demolition process including submission of proposed new development, could be expected to have similar treatment for this particular case as those in the past. He noted that a rehabilitation developer could have looked at the same site and considered it was economically feasible as well.

Commissioner Conway moved to modify the decision of the Preservation Board and allow demolition, but upon the condition that release of the demolition permit should be stayed until a new construction permit has been approved by the Building Division. Commissioner Bradley seconded. Commissioner Conway noted that he wants to ensure the community gets what it wants. He expressed a concern that the initial letter referenced one issue but at the board meeting other issues were raised. He also noted that the community's interest was not incorporated into the Preservation Board's decision at all, and the uniqueness concept was overly vague. He would still like to see development happen and that Preservation Board decision-making should be based on a uniform process. Commissioner Boaz indicated that the specific architectural style was not the predominant factor, and noted that she did not find any infirmities with the staff's review and process, though the document may not have been as clear as it could have been and the record did not reflect conversations that likely happened. Commissioner Vines noted that the proposed replacement was very unclear, so the Preservation Board had been faced with a decision and relied upon its role as being preservation-oriented. Alderman Boyd noted sometimes difficult decisions are necessary, and his decision was not an indictment of the staff. Alderman Boyd asked about the details of the contingency, and about the repercussions if no new building was built. Don Roe explained the owner will lose their investment. Dan Krasnoff noted that this type of contingency is often used by the Preservation Board as well as it is the best tool they have. Chair Strauther asked whether the demolition permit pending would require a reapplication. If the application is still active, then the existing permit would revive, and sufficient time should be allowed to meet the terms of the conditional approval. If time runs out, the permit should be treated in keeping with the resolution.

Following discussion, the motion passed by roll call vote with the following Commissioners voting aye: Alderman Boyd, Rich Bradley, Tracy Boaz, Steve Conway, Mary Goodman, Denise Peeples, Chair Strauther. Jake Banton voted nay and Randy Vines abstained.

The Commission took up item 5, *PDA-027-20-STP – Robert Ruggeri Place – The Hill Neighborhood (CB 4084)*. Roman Kordal presented the resolution. He explained that due to miscommunications between the Board of Public Service, the Street Department and the petitioner, the street sign for Robert Ruggeri Place was already posted on the site without the street name being approved by ordinance. Following discussion, Commissioner Bradley moved to approve the resolution, and Commissioner Boaz seconded. The motion passed with the

following Commissioners voting aye: Alderman Boyd, Jake Banton, Rich Bradley, Tracy Boaz, Steve Conway, Mary Goodman, Denise Peeples, Randy Vines, Chair Strauther.

Mr. Roe noted delegated items had been addressed but he was available for questions. Chair Strauther asked for a motion to adjourn. A motion to adjourn was made by Commissioner Boaz and seconded by Commissioner Bradley. Hearing no objection, the meeting adjourned at 8:03 p.m.

A handwritten signature in dark ink, appearing to read 'Earl Strauther', written over a horizontal line.

Earl Strauther, Chair